

**TWENTY-SECOND LEGISLATIVE DAY  
MONDAY, JANUARY 30, 2006**

Governor  
/s/ BEN YSURSA  
Secretary of State

House of Representatives

The House convened at 1:15 p.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused -- Bedke, Deal. Total -- 2.  
Total -- 70.

Prayer was offered by Representative Nielsen.

The Pledge of Allegiance was led by Luke Thomas, Page.

**Approval of Journal**

January 30, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Nineteenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the  
Governor and the Senate**

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

**CERTIFICATE OF APPOINTMENT**

KNOW ALL MEN, by these Presents that Margaret Henbest, State Representative, District 16, House Seat A, Ada County, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Les Bock, of Boise, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Les Bock, Acting State Representative, District 16, House Seat A, Ada County, State of Idaho, for a term commencing on January 30, 2006, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 26th day of January in the year of our Lord two thousand and six, and of the Independence of the United States of America, the two hundred and thirtieth year.

/s/ DIRK A. KEMPTHORNE

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mr. Bock.

January 30, 2006

Mr. Speaker:

I return herewith enrolled **H 403** which has been signed by the President.

WOOD, Secretary

Enrolled **H 403** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

January 27, 2006

Mr. Speaker:

I transmit herewith **S 1305**, **S 1306**, and **S 1307** which have passed the Senate.

WOOD, Secretary

**S 1305**, **S 1306**, and **S 1307** were filed for first reading.

January 27, 2006

Mr. Speaker:

I return herewith **H 404** which has passed the Senate.

WOOD, Secretary

**H 404** was referred to the Judiciary, Rules, and Administration Committee for enrolling.

January 30, 2006

Mr. Speaker:

I return herewith **H 409** which has passed the Senate.

WOOD, Secretary

**H 409** was referred to the Judiciary, Rules, and Administration Committee for enrolling.

**Report of Standing Committees**

January 30, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **H 486**, **H 487**, **H 488**, **H 489**, **H 490**, **H 491**, **H 492**, **H 493**, **H 494**, **H 495**, **H 496**, **H 497**, and **H 498**.

FIELD(18), Chairman

**H 486** was referred to the Transportation and Defense Committee.

**H 487** was referred to the Appropriations Committee.

**H 488**, **H 489**, and **H 496** were referred to the State Affairs

Committee.

**H 490, H 491, H 492, and H 493** were referred to the Agricultural Affairs Committee.

**H 494, H 495, H 497, and H 498** were referred to the Revenue and Taxation Committee.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference  
of Bills and Joint Resolutions**

**HOUSE BILL NO. 499  
BY HEALTH AND WELFARE COMMITTEE  
AN ACT**

RELATING TO CLEAN INDOOR AIR; AMENDING SECTION 39-5503, IDAHO CODE, TO PROVIDE THAT DESIGNATED SMOKING ROOMS IN BOWLING ALLEYS THAT MEET CERTAIN CONDITIONS ARE EXCEPTED FROM PUBLIC SMOKING PROHIBITIONS; AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 500  
BY BUSINESS COMMITTEE  
AN ACT**

RELATING TO SELF-FUNDED HEALTH CARE PLANS; AMENDING SECTION 41-4001, IDAHO CODE, TO REVISE THE DECLARATION OF PURPOSE; AMENDING CHAPTER 40, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-4001A, IDAHO CODE, TO PROVIDE FOR NONAPPLICABILITY TO MULTIPLE EMPLOYER WELFARE ARRANGEMENTS; AMENDING SECTION 41-4002, IDAHO CODE, TO DEFINE "MULTIPLE EMPLOYER WELFARE ARRANGEMENT" AND "SINGLE EMPLOYER," TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4003, IDAHO CODE, TO REVISE APPLICATION OF REGISTRATION REQUIREMENTS TO SINGLE EMPLOYER SELF-FUNDED HEALTH PLANS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-4004, IDAHO CODE, TO REVISE QUALIFICATIONS FOR REGISTRATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4005, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO APPLICATIONS FOR REGISTRATION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-4007, IDAHO CODE, TO MAKE GRAMMATICAL CHANGES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-4008, IDAHO CODE, TO CLARIFY TRUST FUND LIABILITY; AMENDING SECTION 41-4009, IDAHO CODE, TO REVISE PROHIBITED INVESTMENTS OF TRUST FUND MONEYS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4010, IDAHO CODE, TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4011, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO THE DELIVERY OF ANNUAL STATEMENTS AND TO MAKE

TECHNICAL CORRECTIONS; AMENDING SECTION 41-4014, IDAHO CODE, TO CLARIFY WHO MAY BE A TRUSTEE OR ADMINISTRATOR AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 41-4017, IDAHO CODE, TO MAKE A GRAMMATICAL CHANGE; AMENDING SECTION 41-4018, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO TERMINATION OF REGISTRATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4020, IDAHO CODE, TO REVISE THE CATCHLINE, TO PROVIDE THAT THE ADOPTION OF RULES SHALL BE IN ACCORDANCE WITH THE IDAHO ADMINISTRATIVE PROCEDURE ACT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4021, IDAHO CODE, TO PROVIDE A STATUTORY REFERENCE, TO PROVIDE FOR APPLICATION TO SINGLE EMPLOYER SELF-FUNDED HEALTH PLANS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4022, IDAHO CODE, TO REVISE PENALTIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4023, IDAHO CODE, TO REVISE PROVISIONS APPLICABLE TO COVERAGE FOR BIRTH AND COMPLICATIONS OF PREGNANCY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 41-4025, IDAHO CODE, TO PROVIDE FOR APPLICATION TO SINGLE EMPLOYER SELF-FUNDED HEALTH PLANS FOR PURPOSES OF MAMMOGRAPHY COVERAGE; AND AMENDING CHAPTER 40, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-4026, IDAHO CODE, TO SET FORTH PROVISIONS APPLICABLE TO THE CREDITING OF PREEXISTING CONDITION WAITING PERIODS.

**HOUSE BILL NO. 501  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO COUNTY SALES TAXES; AMENDING SECTION 63-2601, IDAHO CODE, TO REVISE LEGISLATIVE FINDINGS; AMENDING SECTION 63-2602, IDAHO CODE, TO REVISE THE PURPOSES OF THE TAX, TO DEFINE A TERM AND TO DELETE REFERENCE TO USE TAX; AMENDING SECTION 63-2603, IDAHO CODE, TO DELETE REFERENCE TO USE TAX; AMENDING SECTION 63-2604, IDAHO CODE, TO REVISE GENERAL PROVISIONS, TO DELETE REFERENCE TO USE TAX AND TO PROVIDE FOR JOINT EXERCISE OF POWERS AGREEMENTS; AND AMENDING SECTION 4, CHAPTER 363, LAWS OF 2003, TO REMOVE A SUNSET DATE.

**HOUSE BILL NO. 502  
BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO COUNTY SALES TAXES; AMENDING SECTION 63-2601, IDAHO CODE, TO REVISE LEGISLATIVE FINDINGS; AMENDING SECTION 63-2602, IDAHO CODE, TO REQUIRE THAT A MINIMUM NUMBER OF REGISTERED VOTERS VOTE IN ORDER FOR THE TAX TO BE VALID AND TO REVISE THE PURPOSES OF THE TAX; AMENDING SECTION 63-2604, IDAHO CODE, TO

REVISE GENERAL PROVISIONS; AND AMENDING SECTION 4, CHAPTER 363, LAWS OF 2003, TO REMOVE A SUNSET DATE.

**HOUSE BILL NO. 503**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO PROPERTY TAX EXEMPTIONS; AMENDING CHAPTER 6, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-602LL, IDAHO CODE, TO PROVIDE FOR A TAX EXEMPTION FOR PROPERTY OWNED BY QUALIFIED PERSONS, TO PROVIDE FOR APPLICATION OF THE EXEMPTION TO RESIDENTIAL IMPROVEMENTS AND THE RESIDENTIAL LOT, TO PROVIDE THAT THE EXEMPTION SHALL CONTINUE FOR SPOUSES UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE CONDITIONS FOR THE EXEMPTION, TO PROVIDE THAT AN OWNER IS REQUIRED TO MAKE APPLICATION FOR THE EXEMPTION ONLY ONCE IF CERTAIN CONDITIONS ARE MET, TO DECLARE THAT THE EXEMPTION IS NECESSARY AND JUST AND TO PROVIDE THAT THE EXEMPTION SHALL BE AVAILABLE FOR CERTAIN OWNERS WHO ARE ABSENT BY REASON OF ACTIVE MILITARY SERVICE IN A DESIGNATED COMBAT ZONE; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

**HOUSE BILL NO. 504**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO SCHOOL DISTRICTS AND DEVELOPMENT IMPACT FEES; AMENDING SECTION 33-601, IDAHO CODE, TO PROVIDE ORDINANCE AUTHORITY TO SCHOOL DISTRICTS TO IMPOSE A DEVELOPMENT IMPACT FEE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 67-8203, IDAHO CODE, TO REVISE DEFINITIONS AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 505**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO TAXATION POLICIES FOR FUNDING PUBLIC SCHOOLS; AMENDING SECTION 63-3619, IDAHO CODE, TO INCREASE THE SALES TAX BY ONE CENT; AMENDING SECTION 63-3621, IDAHO CODE, TO INCREASE THE USE TAX BY ONE CENT STARTING JUNE 1, 2006; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE THE DISTRIBUTION FOR SALES TAX REVENUES, TO PROVIDE A CORRECT CODE REFERENCE AND TO DELETE REFERENCE TO MAINTENANCE AND OPERATION TAXES FOR SCHOOL DISTRICTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-802, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL DISTRICT LEVIES THAT MAY BE IMPOSED WITHOUT VOTER APPROVAL, TO PROVIDE BUDGET STABILIZATION LEVIES FOR CERTAIN DISTRICTS, TO DELETE THE LOCAL DISTRICT CONTRIBUTION FOR

SCHOOL FORMULA PURPOSES, TO CONTINUE IN EFFECT ALL VOTER APPROVED LEVIES FOR THE TERM AUTHORIZED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE HOW THE EDUCATIONAL SUPPORT PROGRAM IS CALCULATED, TO PROVIDE ELIGIBILITY FOR CHARTER DISTRICTS TO CONTINUE TO RECEIVE SCHOOL FORMULA MONEYS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 33-1002A, IDAHO CODE, RELATING TO THE LOCAL DISTRICT CONTRIBUTION REDUCTION AND REPEALING SECTION 33-1002D, IDAHO CODE, RELATING TO PROPERTY TAX REPLACEMENT; AMENDING SECTION 33-1003, IDAHO CODE, TO DELETE REFERENCE TO AN OBSOLETE PROVISION AND TO MAKE TECHNICAL CORRECTIONS; TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL UTILIZE THE PROVISIONS OF SECTIONS 33-802, 33-1002, 33-1002A, 33-1002D AND 33-1003, IDAHO CODE, AS THEY EXISTED PRIOR TO AMENDMENT BY THE PROVISIONS OF THIS ACT FOR THE PURPOSES OF FUNDING PUBLIC SCHOOLS THROUGH THE END OF FISCAL YEAR 2006; AMENDING SECTION 33-701, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL MAINTENANCE AND OPERATION LEVIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-802A, IDAHO CODE, TO CLARIFY REFERENCES TO SCHOOL LEVIES; REPEALING SECTION 33-808, IDAHO CODE, RELATING TO NOTICE OF ADJUSTMENT TO MARKET VALUE FOR ASSESSMENT PURPOSES UPON TERMINATION OF A REVENUE ALLOCATION AREA; AMENDING SECTION 33-905, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1004, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1114, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL DISTRICT MAINTENANCE AND OPERATION LEVIES; AMENDING SECTION 33-5208, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-2908, IDAHO CODE, TO DELETE REFERENCE TO PROPERTY TAX FOR SCHOOLS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-802, IDAHO CODE, TO DELETE REFERENCE TO CERTAIN LEVIES OF SCHOOL DISTRICTS AS BEING EXEMPT AND TO PROVIDE APPLICATION TO SCHOOL DISTRICTS; AMENDING SECTION 63-802A, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE, TO DELETE REFERENCE TO SCHOOL DISTRICT MAINTENANCE AND OPERATION LEVIES AND TO PROVIDE APPLICATION TO SCHOOL DISTRICTS; AMENDING SECTION 63-811, IDAHO CODE, TO DELETE REFERENCE TO PROPERTY TAX ALLOCATED FOR SCHOOLS; TO PROVIDE SEVERABILITY; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

**HOUSE BILL NO. 506**  
**BY REVENUE AND TAXATION COMMITTEE**  
 AN ACT

RELATING TO THE CIRCUIT BREAKER PROPERTY TAX RELIEF; AMENDING SECTION 63-701, IDAHO CODE, TO EXPAND THE DEFINITION OF "CLAIMANT"; AMENDING SECTION 63-708, IDAHO CODE, TO CLARIFY THAT RECOVERY PROCEDURES APPLY TO PERSONS FALSELY CLAIMING THE FEDERAL EARNED INCOME CREDIT; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 507**

**BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO THE ANNUAL RATIO STUDY ON PROPERTY TAXES AND TAXATION POLICY; PROVIDING A MORATORIUM ON THE RATIO STUDY REQUIRED TO BE PERFORMED BY THE STATE TAX COMMISSION BY SECTION 63-315, IDAHO CODE, ON TAXES IMPOSED ON PROPERTY SHOWN ON THE 2006 TAX ROLL ONLY; DIRECTING THE STATE TAX COMMISSION TO PERFORM A STUDY ON THE STATE'S TAX SYSTEM AND TO PROVIDE RECOMMENDATIONS AND A REPORT TO THE LEGISLATURE IN 2007; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 508**

**BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO LIMITATION ON BUDGET REQUESTS OF TAXING DISTRICTS; AMENDING SECTION 63-802, IDAHO CODE, TO ALLOW A TAXING DISTRICT TO INCLUDE FIFTY PERCENT OF THE VALUE OF ANNEXATION DURING THE PREVIOUS CALENDAR YEAR FOR PROPERTY TAX BUDGET LIMITATION PURPOSES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 509**

**BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO LIMITATION OF BUDGET REQUESTS FOR TAXING DISTRICTS; AMENDING SECTION 63-802, IDAHO CODE, TO REVISE HOW NEW CONSTRUCTION OR CHANGE OF LAND USE CLASSIFICATION MAY BE CALCULATED AND INCLUDED IN A TAXING DISTRICT'S BUDGET; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

**HOUSE BILL NO. 510**

**BY REVENUE AND TAXATION COMMITTEE  
AN ACT**

RELATING TO PROPERTY TAXATION; REPEALING SECTION 63-602FF, IDAHO CODE, RELATING TO PARTIAL EXEMPTION FOR PARCELS OF LAND IN A RURAL HOME SITE DEVELOPMENT PLAT; AMENDING SECTION 63-604, IDAHO CODE, TO PROVIDE THAT PLATTING LAND ACTIVELY DEVOTED TO AGRICULTURE DOES NOT ALONE CAUSE THE LAND TO LOSE ITS ACTIVELY DEVOTED TO AGRICULTURE STATUS AND TO PROVIDE AN ADDITIONAL

DEFINITION; AMENDING SECTION 63-602K, IDAHO CODE, TO REVISE A DEFINITION; DECLARING AN EMERGENCY AND PROVIDING A RETROACTIVE EFFECTIVE DATE.

**H 499, H 500, H 501, H 502, H 503, H 504, H 505, H 506, H 507, H 508, H 509, and H 510** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**S 1305, S 1306, and S 1307**, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Eleventh Order of Business.

**Third Reading of Bills and Joint Resolutions**

**H 405** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Pasley-Stuart to open debate.

The question being, "Shall **H 405** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydall, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Deal, Edmunson, Schaefer. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 405** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**H 406** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Mathews to open debate.

The question being, "Shall **H 406** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett,

Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalph, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Deal, Edmunson, Schaefer. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **H 406** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

**S 1277** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1277** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalph, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Deal, Edmunson, Schaefer. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1277** passed the House. Title was approved and the bill was ordered returned to the Senate.

**S 1278** was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1278** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney,

Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalph, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Deal, Edmunson, Schaefer. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **S 1278** passed the House. Title was approved and the bill was ordered returned to the Senate.

**SJM 113** was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Field(18) and Mrs. Boe to open debate.

The question being, "Shall **SJM 113** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest(Bock), Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalph, Sali, Sayler, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood, Mr. Speaker. Total -- 66.

NAYS -- None.

Absent and excused -- Bedke, Deal, Edmunson, Schaefer. Total -- 4.

Total -- 70.

Whereupon the Speaker declared **SJM 113** adopted and ordered the memorial returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 1:15 p.m., Tuesday, January 31, 2006. Seconded by Mr. Sayler. Motion carried.

Whereupon the Speaker declared the House adjourned at 1:54 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk